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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,334	06/21/2001	Kael Duaine Burden	BURD-0275	5412

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Kenneth C. Booth
Schmeiser, Olsen & Watts LLP
18 East University Drive, #101
Mesa, AZ 85201

EXAMINER

GRAHAM, CLEMENT B

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 02/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,334

Applicant(s)

BURDEN, KAEI DUAINÉ

Examiner

Clement B Graham

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Abstract – should not have the word means and "invention" "disclosed".

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patent ability shall not be negated by the manner in which the invention was made.
3. Claims 1-11, are rejected under 35 U.S.C. 103(a) as being unpatentable over (Mori et al (U. S. Patent No 6,070,148) in view of Lucas et al (U.S. Patent No 4,751,640).

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As per claim 1, Mori discloses an ATM which can be used as a transaction device and an electronic commerce system having a transaction device, business connection server for performing a transaction with the said transaction device and a network for connecting the transaction device and information in regards to a display unit which displays scene information sent in through the network. (See column 7 lines 30-35 and column 3 lines 5-15 and column 20 lines 35-65). Mori et al also discloses an IC card is being used as means of user identification. (Note abstract).

Mori discloses an IC card which is used as an identifier and a portable recording medium processed by the user for use and performing various transactions and information collection and settlement transaction account to manage money settled or spent. (See column 5 lines 5-30 and column 10 lines 20-45). Mori et al discloses a processor incorporated within the IC card. (See column 6 lines 5-10). Mori et al does not explicitly teach receiving input from the investor identifier or to transmit a signal representative of the input for use in investing a portion of the money in association with the unique identifier received from the investor. Lucas et al discloses that receiving an investor request for seeking to view the offered investments first log onto the system using the appropriate password terminal and keyboard, if it succeeds a customer file is open and the investments data entered is transmitted. (See column 6 lines 5-25 and column 6 lines 25-65). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Mori et al and Lucas et al in order to have an investment system within a housing. The benefit would have

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been to have the investment machine displayed in public whereby a company can attract a larger amount of customers in return for a financial gain.

As per claim 2, Lucas et al teaches investment selector interface. (Note column 4 lines 45-57). Most entered data or choices made by an investor are transmitted to the processor. (Note column 5 lines 45-63 and column 6 lines 25-67). Adding an investment interface as taught by Lucas et al into Mori et al would have been obvious to one of ordinary skill in the art in order to allow an investor to select various types of rates and investments strategies.

As per claim 3, Mori et al discloses a touch panel for displaying various types of guidance and performing input operations and a button for performing selection inputting. (See column 7 lines 30-35 and column 14 line 65 and column 15 line 5).

As per claims 4, 10, (Note column 11 lines 4-26 and figures 14-15 of Mori et al. Mori discloses a touch panel for displaying various types of guidance and performing input operations and a button for performing selection inputting. (See column 7 lines 30-35 and column 14 line 65 and column 15 line 5). Identifying the money to be invested would have been obvious to one of ordinary skill in the art for payment purposes and also for identifying how much should be allocated to a type of investment.

As per claims 5-6, Mori discloses a system comprises of network communication connecting to a transaction device and a network for connecting said transaction device and a business server and a processor in an IC chip mounted on the IC card (See column 3 lines 5-30 and column 6 lines 5-10).

As per claims 7-9, Mori discloses information as related to displaying investment information, advertising information and commodity password information which is representative of account information and a view of an example of data configuration of the advertisement condition table, which is a table for defining advertising information as it relates to a company (See column 6 lines 50-65 and column 8 line 65 and column 9 lines 5-40).

Claims 11, Lucas discloses information on reports and procedures as it relates to investments and transactions which includes a printout of all allocated and unallocated securities and instruments stored in inventory is made to allow a proof and verification of their status to be made. (See column 8 lines 40-65 and column 9 line 5).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 12-17, are rejected under 35 U.S.C. 102(e) as being [anticipated] by (Mori et al U.S. Patent No.6,070,148).

As per claim 12, Mori et al discloses an IC card is used as means of user identification. (Note abstract). Mori et al also discloses an IC card which is used as a identifier and a portable recording medium processed by the user for use and performing various transactions such as insurance and economy types and information collection and settlement transaction account to manage money settled or spent. (See column 5 lines 5-30 and column 10 lines 20-45 and figures 14-15).

As per claim 13, (Note column 11 lines 4-26 and figures 14-15 of Mori et al).

As per claim 14, (Note figures 14-15 of Mori et al).

As per claim 15, Mori et al discloses an IC card is used as means of user identification. (Note abstract). Mori et al also discloses an IC card which is used as a identifier and a portable recording medium processed by the user for use and performing various transactions and information collection and settlement transaction account to manage money settled or spent. (See column 5 lines 5-30 and column 10 lines 20-45). Mori et al also discloses a touch panel for displaying various types of guidance and performing input operations. (See column 7 lines 29-35).

As per claim 16, Mori et al discloses inputting, transferring transaction data to the IC card which is interpreted as a report.

As per claim 17, Mori et al discloses information as relates to money receiver configured to receive a card type, such as a credit card, a cash card contain a magnetic strip, or the like having a CPU and a memory. (See column 5 lines 5-30 note column 11 lines 4-26 and figures 14-15).

Conclusion

6. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Baker (US 6,336,105 Patent) teaches a rapid method of analysis for correlation of assets return to future financial liabilities.

Wallman (US Patent 6,338,047) teaches a method and system for investing in a group of investments that are selected based on the aggregated individual preference of plural investors.

Powell (US Publication 2001/0032189) teaches a method and apparatus for a cryptographically assisted commercial network system design to facilitate idea submission purchase and licensing and innovation transfer.

Tammaro (US Publication 20010034679) teaches platform independent and non-invasive financial report mark-up.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement Graham, whose telephone number is (703) 305-1874. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. The fax phone number for this Art Unit is (703) 305-0040. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Frantzy Poinvil
FRANTZY POINVIL
PRIMARY EXAMINER
AU 2164